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JAN 26 2004

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Fax No. 513-622-3300

Phone No. 513-622-2859

Listed below are the item(s) being submitted with this Certificate of Transmission:\*\*

Number of Pages Including this Page: 7

- 1) Information Disclosure Statement (3pgs/1copy)
- 2) PTO SB08A and SB08B (3pgs/ 1 copy)
- 3)
- 4)
- 5)

Inventor(s): Michael George Natchus et al.

S.N.: 10/730,572

Filed: 12/08/2003

Case: 6229MRR

Comments:

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JAN 26 2004

P&amp;G Case 6229MRR

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
Michael George Natchus et al. : Confirmation No.  
Serial No. 10/730,572 : Group Art Unit 1626  
Filed 12/08/2003 : Examiner

For Substituted Cyclic Amine Metalloprotease Inhibitors

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☒ 37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ **37 C.F.R. §1.97(b)(3)** - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

3. ☐ **37 C.F.R. §1.97(b)(4)** - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). Applicants have not received a first Office Action after filing a Request For Continued Examination (RCE). Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

4. ☐ **37 C.F.R. §1.97(c) with fee payment** - (use when filing IDS after receipt of first Office Action, and before receipt of Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

5. ☐ **Information to be Considered with Continued Prosecution Application (CPA) Filing (use when filing IDS with a Continued Prosecution Application (CPA) for Design Case)**. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 C.F.R. 1.53(d).

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

☐ (1) (For use with applications filed prior to or on June 30, 2003.) Copies of the cited documents are enclosed.

OR

☒ (2) (For use with applications filed after June 30, 2003.) In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

OR

☒ (3) All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. 6229M, U.S. Patent Application Serial No. 08/918,317, filed 08/26/1997. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. **This also includes references cited by the Examiner in above case indicated as such with an asterisk.**

Respectfully submitted,

By 

Andrew A. Paul  
Attorney or Agent for Applicant(s)  
Registration No. 46,405  
(513)622-1825

Date: January 26, 2004  
Customer No. 27752  
(IDS.doc) (Last Revised 10/10/03)

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PTO/SB08A (08-03)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

SHEET 1 of 3

**COMPLETE IF KNOWN**

Application Number	10/730,572
Confirmation Number	
Filing Date	12/08/2003
First Named Inventor	Michael George Natchus
Group Art Unit	
Examiner Name	
Attorney Docket Number	6229MRR

**U. S. PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	DOCUMENT NUMBER Number - Kind Code <sup>2</sup> (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1*	US-4,954,158A	09/1990	Stammer	
	2*	US-5,455,258A	10/1995	MacPherson et al.	

\* References cited by Examiner in Parent Application 08/918,317, US Patent 6,417,219 B1, issued 7/9/02.

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	FOREIGN PATENT DOCUMENT Country Code <sup>2</sup> Number <sup>3</sup> Kind Code <sup>4</sup> (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	3	EP 769,498 A1	4/23/1997	Ono Pharmaceuticals Co. Ltd.		
	4	WO 88/02627 A1	4/21/1988	Bristol-Myers Co.		
	5	WO 97/25315 A1	7/17/1997	Sanofi		
	6	WO 97/24349 A1	7/10/1997	Fournier Indsutre et Sante		
	7	WO 96/33172 A1	10/24/1996	Pfizer Inc.		
	8	WO 97/20824 A1	6/12/1997	Agouron Pharmaceuticals Inc.		
EXAMINER				DATE CONSIDERED		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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PTO-SB08

(Revised for P&amp;G use 10/8/2003)

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## COMPLETE IF KNOWN

Application Number	10/730,572
Confirmation Number	
Filing Date	12/08/2003
First Named Inventor	Michael George Natchus
Group Art Unit	
Examiner Name	
Attorney Docket Number	6229MRR

## NON PATENT LITERATURE DOCUMENTS

\* References cited by Examiner in Parent Application 08/918,317, US Patent 6,417,219 B1, issued 7/9/02.

EXAMINER INITIALS*	Cite No.*	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T*
	8*	BONNET et al., CA 63:11477b, 1965.	
	9*	SHIBA et al., CA 61:16145a, 1964.	
	10*	ISENBERG et al., CA 59:11932c, 1963.	
	11*	ANDREATTA et al., CA 67:117254, 1967.	
	12*	LASH et al., CA 116:41240, 1992.	
	13*	SETOI et al., CA 111:133982, 1989.	
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	16*	HUDSON et al., CA 68:87526, 1968.	
	17*	WEBER et al., CA 110:57646, 1989.	
	18*	KASPERSEN et al., CA 83:193215, 1975.	
	19*	KRAPCHO et al., CA 96:181622, 1982.	
	20*	HUDSON et al., CA 84:59972, 1976.	
	21*	YEVICH et al., CA:114:247309, 1991.	
	22*	GOLI et al., CA 122:133587, 1995.	
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	25*	REMUZON et al., CA 120:164828, 1994.	
	26*	ROEMMELE et al., CA 110:173729, 1989.	
	27*	KAHL et al., CA 95:204385, 1981.	
	28*	WAKAMIYA et al., CA 95:43806, 1981.	
	29*	SHONO et al., CA 101:151196, 1984.	
	30*	TRONCHET et al., CA 98:16975, 1983.	
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	32*	ARTICO et al., CA 122:314404, Mar. 1985.	
	33*	MATSUBARA et al., CA 121:275875, 1994.	
	34*	MORIMOTO et al., CA 121:157461, 1994.	
	35*	HASSAN et al., CA 118:213398, 1993.	
	36*	DI CESARE et al., CA 117:233883, 1992.	
	37*	WOLSKI et al., CA 109:121786, 1988.	
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	39*	SHOMO et al., CA 99:87977, 1983.	
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	41*	HENRY et al., CA 84:31125, 1976.	
	42	KAHL, J.U. et al., "Synthesis of Two Naturally Occurring Diastereomeric Dihydroxyprolines: 2,3-trans-3,4-tras-3,4-dihydroxy-L-proline and 2,3-cis-3,4-tras-3,4-dihydroxy-L-proline", <u>Liebigs An. Chem.</u> , 1981, pp. 1445-1450.	
	43	HUDSON, C.B. et al., "Synthesis of 3,4-dihydroxyprolines. I. Cisglycolation of 3,4-dehydroproline Derivatives", <u>Aust. J. Chem.</u> , 1968, Vol. 21, pp. 769-782.	
	44	ANDREATTA, R.H. et al., "Synthesis of cis and trans isomers of 4-chloro-L-proline, 4-bromo-L-proline, and 4-amino-L-proline", <u>Aust. J. Chem.</u> , 1967, Vol. 20, pp. 1493-1509.	
	45	HEINTZELMAN, G.R. et al., "Imino Diels-Alder-Based Construction of a Piperidine A-Ring Unit for Total Synthesis of the Marine Hepatotoxin Cylindrospermopsin", <u>Chemical Abstracts</u> , Jul. 29, 1986, Vol.125, No.5, Abstract No. 058826.	

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SHEET 3 of 3

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First Named Inventor	Michael George Natchus
Group Art Unit	
Examiner Name	
Attorney Docket Number	6229MRR

**NON PATENT LITERATURE DOCUMENTS (Continued)**

46	HERDEIS, C. et al., "Amino acids. XII. (+)-Pipicolic acid derivatives. Part 2. An expedient synthetic entry to substituted pipicolic acids", <u>Chemical Abstracts</u> , Oct. 26, 1992, Vol. 117, No. 17, Abstract No. 171989.	
47	EDWARDS, M.L. et al., "Synthesis and enzymic resolution of a carbocyclic analog of ribofuranosylamine", <u>Chemical Abstracts</u> , Jul. 1, 1996, Vol. 125, No. 1, Abstract No. 011281.	
EXAMINER		DATE CONSIDERED

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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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